

To State Governors:

While the road ahead for recovery after the recent hurricanes and wildfires will take many years, there are a number of steps states can take now to jumpstart the recovery process and assist low income households and communities. As you work to administer federal and state disaster relief, we urge you to make certain that federal disaster recovery resources reach all impacted households, including those with the lowest incomes who are often the hardest-hit by disasters and have the fewest resources to recover afterwards.

Enclosed are a comprehensive set of recommendations, developed by the Disaster Housing Recovery Coalition of more than 700 local, state, and national organizations committed to ensuring that federal housing recovery and rebuilding efforts are complete and equitable for all impacted individuals and communities. The DHRC represents many organizations working directly with impacted communities and those with first-hand experience recovering after prior disasters.

Our recommendations include:

- Deploying housing recovery funds and implementing cost-effective measures to ensure that all households – including homeowners, renters, and those who were experiencing homelessness before the disaster – receive the affordable and accessible housing assistance they need to get back on their feet;
- Ensuring that federal and state investments in public infrastructure and environmental remediation are allocated fairly and adequately to meet the needs of low income people and communities in urban, suburban, and rural communities;
- Adopting transparent data and reporting standards to ensure that federal and state resources are allocated fairly and adequately to meet the needs of low income people and communities;
- Ensuring that the lowest income households can fully benefit from federal disaster housing resources and have meaningful choices over where to live and opportunities for work – free from discrimination by furthering fair housing choice and combatting housing segregation;
- Safeguarding federal investments by protecting against future disasters and promoting better coordination among federal agencies.

Thank you for your attention and consideration of these recommendations.

# State Disaster Housing Recovery Policy Recommendations

## States should:

1. Ensure that all households, including low income homeowners, renters, and those who were experiencing homelessness before the disaster, receive the affordable and accessible housing assistance they need to get back on their feet:
  - a. Formally request that FEMA to enter into an interagency agreement (IAA) with HUD to stand up the Disaster Housing Assistance Program (DHAP) to assist the lowest income renters with their medium- to longer-term housing needs;
  - b. Formally request that FEMA extend access to the Transitional Shelter Assistance (TSA) hotel program and reform program to overcome barriers that prevent low income people from participating;
  - c. Provide deeper income targeting than the current threshold for Community Development Block Grant - Disaster Recovery (CDBG-DR) resources to ensure adequate resources at all income levels proportional to damage assessments and unmet need;
  - d. Adopt cost-saving measures to ensure CDBG-DR resources address the needs of low and moderate-income households first, when federal resources are not sufficient to cover all impacted households;
  - e. Take active measures to ensure CDBG-DR resources reach the lowest income communities, including rural and mountainous areas in Puerto Rico;
  - f. Ensure that all households – including those without clear title or without a lease – are eligible for CDBG-DR resources, by allowing alternative proof of ownership or residence;
  - g. Do not use eligibility for FEMA Individual Assistance as a precondition for CDBG-DR eligibility;
  - h. Ensure that all damaged federally or state subsidized rental housing be replaced on a one-for-one basis, with a right to return to rehabilitated or newly constructed replacement housing;
  - i. Ensure that households receive affordable and accessible housing assistance for as long as they need it and are not subject to arbitrary deadlines prior to full recovery; and

- j. Require all property owners receiving federal or state disaster assistance, including CDBG-DR funds, prioritize tenants receiving housing assistance for available units.
- 2. Ensure that federal and state investments in public infrastructure and environmental remediation are allocated fairly and adequately to meet the needs of low income people and communities in urban, suburban, and rural communities.
  - a. Ensure that rebuilding plans address the infrastructure needs of all communities fairly, so that communities with inadequate infrastructure before the disaster emerge from the recovery process with an equitable level of infrastructure (roads, bridges, drainage, etc.) that will enable them to better weather future storms; and
  - b. Base grant amounts on the cost to replace or repair damaged property rather than property values to help close financing gaps and to protect households that live in neighborhoods where property values are less than the cost of repairs and replacement.
- 3. Adopt transparent data and reporting standards to ensure that federal and state resources are allocated fairly and adequately to meet the needs of low income people and communities:
  - a. Collect comprehensive demographic data on the impact of the disaster and use the results when allocating resources. Data should be collected on all protected classes covered by the Stafford Act, the Americans with Disabilities Act, Fair Housing Act, Title VI, and other civil rights protections, including, but not limited to race/ethnicity, income and economic status, age, disability, and gender. Data should also be collected on education levels, vulnerability for gentrification and future displacement, transportation dependence, housing tenure of the individual and location at a granular basis to enable meaningful analysis. This data should be made publicly available.
  - b. Survey impacted areas on disaster and social neighborhood vulnerability and make these results publicly available. Use the results in allocating resources, with greater weight placed on high social vulnerability areas.
    - a. Commit to publicly demonstrating how the state is adequately addressing the needs of homeowners, renters, and people experiencing homelessness with CDBG-DR resources and other federal and state resources.
    - b. Set performance goals for the recovery of homeownership and rental housing programs, including goals for processing applications, beginning

construction, and completion. Performance goals should be made available to the public;

- c. Track and make publicly available the completion status of all homeowner and rental units that receive federal or state recovery assistance; and
  - d. Hold public hearings that provide meaningful opportunities for public input.
4. Ensure that the lowest income households can fully benefit from federal disaster housing resources and have meaningful choices over where to live and opportunities for work – free from discrimination.
- a. Ensure that individuals experiencing homelessness prior to the disaster have access to the same disaster relief assistance as those who were renting their homes prior to the disaster.
  - b. Fund legal aid services to provide survivors with short-term and long-term help accessing disaster recovery programs and overcome legal obstacles to recovery, such as title issues, legal representation in mortgage foreclosures;
  - c. Provide operational and capital resources to homelessness and domestic violence emergency shelters and transitional housing programs and facilities, and housing resources to quickly re-house vulnerable families and individuals who have been displaced multiple times;
  - d. Fund social services, transportation, and education to address the full scope of needs for displaced individuals and individuals experiencing homelessness, including resources to help homeless students attend school;
  - e. Enact legislation to protect individuals from rent hikes and price gouging during disaster recovery;
  - f. Fund housing counseling, including mobility counseling services, to help low income households identify all housing opportunities, including the option to relocate to the neighborhood of their choice, and to understand the risk and cost of future disasters;
  - g. Clarify that owners of manufactured housing are eligible for assistance and create a plan for reaching them;
  - h. Ensure federal funds prioritize support to local actors. To the greatest extent possible, and as long as it does not lead to unnecessary delays, recovery dollars should be directed to local governments, businesses,

local people, and civil society organizations, with appropriate accountability measures to ensure appropriate use of funds;

- i. Provide contracting opportunities to small businesses located in low income communities impacted by the disasters. This will help stimulate the local economy and avoid many of the problems associated with the Katrina response – where large corporations dominated reconstruction and dollars were wasted in a cascading stream of subcontracting;
  - j. Fund coordinators to facilitate training, employment, and small business contracting opportunities for low income residents and businesses in low income communities. This can be effectively accomplished by working with local stakeholder groups, including, but not limited to, local Chambers of Commerce, small business affinity groups, and local community development corporations and other community-based organizations operating in impacted communities;
  - k. Set contracting and hiring goals and publicly reporting progress toward those goals;
  - l. Work with local governments and organizations serving impacted communities to develop community outreach and multilingual marketing of contracting and job opportunities; and
  - m. Establish workforce training and small business technical assistance on securing government contracts.
5. Further fair housing choice and combat housing segregation:
- a. Repair or rebuild federally subsidized rental housing in a manner that is consistent with HUD's Affirmatively Furthering Fair Housing guidance to ensure fair housing choice. Investments should be made in a manner that fosters affordable housing in high-opportunity neighborhoods and in communities with currently existing affordable housing. All investment should be made in a manner that prevents displacement and provides impacted residents with the choice to stay in their existing communities or relocated to other desired locations;
  - b. Urge HUD to provide guidance and technical assistance to state and local agencies planning rebuilding efforts to ensure compliance with their legal obligation to Affirmatively Further Fair Housing and avoid delays;
  - c. Work with HUD, local governments, and community organizations to conduct robust outreach to landlords in higher opportunity areas to increase housing choice and combat discrimination against displaced, low income individuals;

- d. Work with HUD and local governments to conduct robust outreach to absentee and other landlords in distressed communities to incentivize responsible repair and restoration and to ensure compliance with fair housing laws;
- e. Bar all landlords who receive disaster recovery assistance from discriminating against displaced individuals based on housing status, eviction history, and source of income, including rental housing assistance;
- f. Fund qualified fair housing enforcement organizations to help people in disaster-affected areas understand their fair housing rights and how to enforce them, investigate and resolve fair housing complaints, monitor conditions in the housing market to proactively identify and stop discriminatory home sale and rental practices, and undertake other efforts, as needed, to ensure that those affected by the disasters do not face unfair, discriminatory housing practices as they recover from the disaster;
- g. Provide funding to state agencies to enforce federal fair and state housing laws, as well as Title VI and Title VII laws, after disasters;
- h. Bar any community that accepts federal or state disaster relief and recovery funds from passing or enforcing laws which criminalize people experiencing homelessness for self-sheltering or conducting other life-sustaining behaviors in public places when there are inadequate alternatives;
- i. Work with federal and local governments to ensure that messages about available assistance reach all hard-to-serve populations, including those with limited English proficiency, criminal history, and those who are blind or have impaired vision and who are deaf or hard of hearing. Communications should be accessible, both programmatically and physically, to lower-income and special needs populations and historically underserved communities; and
- j. Complete a language assessment within the first 90 days and working with HUD to ensure that all communications be made accessible to individuals with limited English proficiency or who are blind, deaf, or hard of hearing. After past disasters, language assessments were completed after critical communications were made.

6. Protect against future disasters:

- a. Assist communities in financing mitigation efforts or accessing private financing. States should prioritize communities at greatest risk, with the largest potential savings, and with the least ability to finance mitigation themselves;
- b. Update state floodplain maps using the highest quality datasets and with public input to ensure accuracy. These maps should be made available to the public;
- c. Require that all infrastructure financed with federal or state resources meet minimum standards storm water protection, such as those required by Federal Flood Risk Management Standards;
- d. Require that the reconstruction of any home built with federal or state resources located in 100-year flood hazard area includes cost-effective mitigation strategies, including the elevation of residential structures and parking areas above the 100-year floodplain or higher, floodproofing lower levels of residential structures, and other methods;
- e. Use disaster relief funds, such as CDBG-DR, for storm mitigation strategies. For example, these resources could be used for roof hardening, the purchase of shutters, or the installation of hurricane-resistant windows and doors and resilient power systems, including solar + storage microgrid technology that can provide backup power during extended outages; and
- f. Use alternative requirements for flood insurance that do not penalize low and moderate income people.

7. Promote better coordination among state and local agencies by:

- a. Establishing a central statewide database to consolidate relevant data collected by all local, state and federal agencies involved in disaster response. Data should be available throughout the response/recovery period to federal, state and local governments directly responsible for administering disaster recovery funds.

For More Information, contact Diane Yentel, NLIHC President and CEO ([dyentel@nlihc.org](mailto:dyentel@nlihc.org)) or Sarah Mickelson, NLIHC Public Policy Director ([smickelson@nlihc.org](mailto:smickelson@nlihc.org)).